

10/01 FORM 8

Application No.: 09/350,466

Filed: July 9, 1999

Group Art Unit: 1743

WEINGARTEN, SCHURGIN, GAGNEBIN & LEBOVICI LLP
Ten Post Office Square
Boston, Massachusetts 02109
Telephone: (617) 542-2290
Telecopier: (617) 451-0313

D. Lawrence
#15
10.02.02

Date: September 27, 2002

Attorney

Docket No.: CHEMM-101XX

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

In re application of: Mark T. Spitler et al.

Entitled: DYE DESORPTION MOLECULAR INDICATOR

BOX AF

Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated 4/9/02 of the Examiner finally rejecting claims 21-23, 25-29, 31-34, and 37-46.

A fee in the amount of \$160.00 is required to cover the Notice of Appeal. The Commissioner is hereby authorized to charge Deposit Account No. 23-0804 for the cost.

The following checked items are appropriate:

A timely response to the final rejection:

☐ has been filed ☒ is hereby filed

An extension of time to respond to the final rejection:

1. ☐ was requested on _____ for _____ month(s);2. ☐ is hereby requested for _____ month(s) and a check in the amount of \$_____ for the extension fee is enclosed.3. ☒ is included on the enclosed amendment transmittal form.

☒ In the event a Petition for Extension of Time is required by this paper and not otherwise provided, such Petition is hereby made and authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of such extension.

☒ The Commissioner is hereby authorized to charge payment of any additional filing fees under \$1.16 associated with this communication or credit any overpayment to Deposit Account No. 23-0804.

I hereby certify that this correspondence is being sent via facsimile to Examiner L. Cross, Group Art Unit 1743, Fax No. 703-305-3599, on 9/27/02.

SUBMIT IN TRIPLICATE

ASM/lkw/279961

Arthur S. Morgenstern
Attorney of Record: Arthur S. Morgenstern
Registration No.: 28,244